



UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
REGION 10

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OFFICE OF
WATER AND
WATERSHEDS

APR 04 2019

Gregory M. Hughes
State Supervisor
U.S. Fish and Wildlife Service
Idaho Fish and Wildlife Service – Boise
1387 South Vinnell Way, Suite 368
Boise, Idaho 83709

Re: The U.S. Environmental Protection Agency Request for Concurrence for the Effects to Listed Species of the Agency's Proposed Action on Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River

Dear Mr. Hughes:

In accordance with the Endangered Species Act (50 CFR 402.13), please find the enclosed Biological Evaluation (BE) for the *Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River*. This transmittal of the BE requests your concurrence on the EPA's "may affect, but not likely to adversely affect" determination for bull trout (*Salvelinus confluentus*).

Section 7 of the ESA requires that every federal agency consult with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to ensure that any federally authorized action is not likely to jeopardize the continued existence of any listed species or destroy or adversely modify designated critical habitat. The Idaho Department of Environmental Quality (DEQ) adopted revisions to its site-specific temperature criteria (SSC) to protect salmonid spawning for the reach of the Snake River below Hells Canyon Dam complex to its confluence with the Salmon River. The SSC applies from October 23 to April 15. The revised SSC, submitted by DEQ on June 8, 2012, to the EPA for review and action under the Clean Water Act includes an increase to the magnitude of the criterion for the first two weeks of this period, or October 23 to November 6. The BE evaluates the potential for adverse effects from the EPA's proposed approval of the 2012 revision.

As described in the enclosed BE, the EPA has found that the Agency's proposed action to approve the revised water quality standard may affect, but is not likely to adversely affect, bull trout and its designated critical habitat within the action area. The analysis of potential effects associated with the proposed action on ESA-listed species and critical habitat are discussed in the enclosed BE and the EPA's determinations are summarized in Table 7.1.

We respectfully request your concurrence on the Agency's determination within 30 days of your receipt of this letter.

We appreciate the technical support from your staff, including providing review comments on the draft BE. We believe the enclosed document has addressed the USFWS' questions and recommendations. If you require additional information, please contact Rochelle Labiosa, the Water Quality Standards staff lead at (206) 553-1172 or labiosa.rochelle@epa.gov.

Sincerely,



Hanh Shaw, Manager
Water Quality Standards Unit

Enclosure: *Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River*

cc (via electronic transmission): Michael Morse, USFWS
Sandi Fisher, USFWS
Jason Flory, USFWS